

## **Assembly Bill No. 66**

### **CHAPTER 34**

An act relating to infant botulism treatment and prevention, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 23, 2008. Filed with  
Secretary of State June 23, 2008.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 66, Dymally. Infant botulism treatment and prevention.

Existing law requires the State Department of Public Health to establish an Infant Botulism Treatment and Prevention Unit for the production and distribution of human Botulism Immune Globulin (BIG), to charge a fee for BIG, and to deposit the fees, and any earned interest, into the Infant Botulism Treatment and Prevention Fund. Existing law requires funds deposited in the Infant Botulism Treatment and Prevention Fund to be made available to the department for expenditure for the purposes of the program upon appropriation by the Legislature in the annual Budget Act.

Existing law authorizes the department to manufacture, test, distribute, and maintain licensure of BIG if all necessary federal licenses are obtained. Existing law states that the department was issued a license by the federal Food and Drug Administration on October 23, 2003, and that the product may be labeled with the proprietary name BabyBIG (R).

This bill would appropriate \$1,472,000 from the Infant Botulism Treatment and Prevention Fund for the 2007–08 fiscal year in augmentation of the amount appropriated in the 2007 Budget Act for allocation by the Controller for any purpose that is described in the above provisions, including the purpose of supporting the continued production of BabyBIG (R) for distribution to patients with infant botulism.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. The sum of one million four hundred seventy-two thousand dollars (\$1,472,000) is hereby appropriated from the Infant Botulism Treatment and Prevention Fund, established pursuant to Section 123709 of the Health and Safety Code, for the 2007–08 fiscal year in augmentation of Item 4265-001-0272 of Section 2.00 of the Budget Act of 2007 (Chapters 171 and 172 of the Statutes of 2007). These funds shall be allocated by the

Controller to Schedule (2), 20 - Public and Environmental Health, of Item 4265-001-0001 of Section 2.00 of the Budget Act of 2007 for any purpose that is described in Article 2.5 (commencing with Section 123700) of Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, including the purpose of supporting the continued production of BabyBIG (R) for distribution to patients with infant botulism.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide a 2007–08 fiscal year budget adjustment to enable the State Department of Public Health to adequately produce and maintain BabyBIG (R), it is necessary that this act take effect immediately.